

APR 18 2005



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**FACSIMILE TRANSMISSION COVER SHEET**

Date: Monday, April 18, 2005

To USPTO - Examiner: **Linh Black**

Art Unit: 2177

Fax: 703/872-9306

From: **Sean McDermott**

Customer No: 29855

Client/Matter #: 149-0055US

Serial No.: 10/034,438

Re: *Please see the attached*

Pages (including cover page): **14**

**Received in the United States Patent and Trademark Office**

1. **Request for Continued Examination (RCE) Transmittal (1 page + duplicate copy); and**
2. **Reply to Final Office Action Dated February 25, 2005 filed with a Request for Continued Examination Under 37 CFR § 1.114 (12 pages).**

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PTO/SB/30 (09-04)

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/034,438
Filing Date	12-27-2001
First Named Inventor	John D. Maxfield
Art Unit	2177
Examiner Name	Linh Black
Attorney Docket Number	149-0055US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

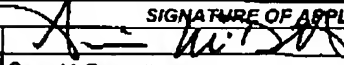
## 2. Miscellaneous

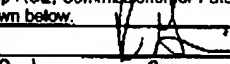
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501922 (149-0055US). I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Additional claims fees of \$250.00, and any other fees that may be required.
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	4-18-05
Name (Print/Type)	Sean McDermott	Registration No.	49,000

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Signature		Date	April 18, 2005
Name (Print/Type)	Rebecca Gian		

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	<b>Filing Date</b>	12-27-2001
	<b>First Named Inventor</b>	John D. Maxfield
	<b>Art Unit</b>	2177
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Signature _____	Date <u>4-18-05</u>
Name (Print/Type) Sean McDermott	Registration No. 49,000

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Name (Print/Type) Rebecca Ginn	

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